

FILED

UNITED STATES DISTRICT COURT FOR THE OCT 17 2008

NORTHERN DISTRICT OF WEST VIRGINIA CL. COURT 26301

UNITED STATES

PLAINTIFF

V

CASE NO.: 1:06 CR 20

DWAYNE ANDERSON

FILED

PRO SE DEFENDANT

OCT 17 2008

DATE: 10-15-08

U.S. DISTRICT COURT  
CLARKSBURG, WV 26301

RE: MOTION FOR COURT TO ORDER TAPES PROPERLY ANALYZED  
(CLARIFICATION OF ELECTRONIC EVIDENCE)

MOTION

NOW COMES THE DEFENDANT DWAYNE ANDERSON PRO-SE, AND  
RESPECTFULLY MOVES THIS HONORABLE TO ORDER THAT THE DEC.  
13, 2005 PHONE CALL FROM TROOPER SMITH BE ANALYZED TO  
PROVE DEFENDANT'S INNOCENCE OF COUNT THIRTEEN OF THE  
INDICTMENT.

THE ORDER WILL CLEARLY CLEAR UP A PEECE OF EVIDENCE THAT  
IF DONE PROPERLY, WILL SHOW THE DEFENDANT NOT GUILTY OF  
THE COUNT THE GOVERNMENT CHARGED IN THE INDICTMENT,  
FURTHERMORE, THE ORDER WILL NOT ALLOW DEFENDANT TO  
BE WRONGFULLY SENTENCED A SECOND TIME. IN GRANTING  
DEFENDANT'S MOTION, THE FACT WILL BE ESTABLISHED THAT THE DEFENDANT  
ANSWERED THE PHONE ON ALL THREE OCCASIONS DEC. 13, 2005,  
AND MAKE-OVER JUSTICE WILL BE DEMONSTRATED.

RESPECTFULLY SUBMITTED,



DWAYNE ANDERSON

cc: dika/file